

MEMORANDUM

TO: Dublin City Council
Marsha I. Grigsby, City Manager
Dana L. McDaniel, Director of Economic Development

FROM: Terry D. Foegler, Director of Strategic Initiatives/Special Projects
Philip K. Hartmann, Assistant Law Director

DATE: January 9, 2014

RE: Ordinance No. 05-14
Relocation of Riverside Drive
Peace Hanson LLC (AKA The Spa at River Ridge)

PROJECT BACKGROUND:

The City is preparing to construct and relocate Riverside Drive north of Dublin-Granville Road and south of Tuller Road (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this Project. The Project is included in the City's 2014-2018 Capital Improvements Program.

One of the landowners that the City must obtain property from for the construction of the Project is Peace Hanson LLC ("Peace Hanson"). This property is commonly known as the Spa at River Ridge with an address of 6570 Riverside Drive, Dublin, OH 43017. The Project requires the purchase of the entire parcel. This acquisition is in addition to the City's purchase of 13.28 acres of right of way from Invictus and Tuller Henderson in December of 2012 (AKA Bash Driving Range and Digger and Finch Restaurant) and 5.12 acres from Crawford Hoying in 2013 (AKA Bridge Pointe Shopping Center).

This Ordinance is a follow-up to Resolution No. 61-13, approved by Council on October 14, 2013 and related to this same property. By way of background, the October Resolution authorized the City to pursue all the necessary legal requirements to appropriate the property. The next step in the appropriation process is to pass an Ordinance (No. 05-14) authorizing the Law Department to pursue an eminent domain action in the Franklin County Court of Common Pleas if, through good faith negotiations, the City cannot settle with the Peace Hanson representatives. The City is hopeful that an amicable settlement can be reached with Peace Hanson representatives.

APPROPRIATION INTRODUCTION:

The City will be acquiring from Peace Hanson a fee simple interest in the property located within Franklin County with a Parcel No. 273-008802, as depicted in the map attached to this memorandum. This is a total take of the parcel consisting of 1.437 ± acres. The City hired the Robert Weiler Company to appraise the property. The acquisition is detailed below:

PROPERTY TO BE APPROPRIATED:

The appropriation consists of the following property interests, as depicted in the map attached hereto:

Franklin County Parcel No. 273-0008802	
Property Interest	Acreage
Fee Simple Interest	1.437 ± acres
Total Appraised Value	\$1,250,000

RECOMMENDATION:

City staff and the Law Department recommend approval of Ordinance No. 05-14 at the second reading/public hearing on January 27, 2014.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

05-14

Ordinance No. _____

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF A 1.437 ACRES PARCEL, MORE OR LESS, FEE SIMPLE INTEREST, FROM PEACE HANSON LLC, LOCATED AT 6570 RIVERSIDE DRIVE, CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO.

WHEREAS, the City of Dublin ("Dublin" or "City") will be relocating Riverside Drive to the east of its current location, between Dublin-Granville Road and Tuller Road (The "Project"); and

WHEREAS, Peace Hanson LLC owns property with the commonly known address of 6570 Riverside Drive, parcel number 273-008802 and carries on a business on the property called, "The Spa at River Ridge"; and

WHEREAS, the City needs to acquire the entire 1.437 acre parcel for the Project; and

WHEREAS, this Project will require the City of Dublin to obtain a fee simple interest from Peace Hanson LLC, as described in the legal descriptions attached as Exhibit "A," said property interest located in the City of Dublin, County of Franklin, State of Ohio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring, that:

Section 1. Council considers it necessary and declares its authorization to appropriate, for the purpose of relocating Riverside Drive to the east of its current location, between Dublin-Granville Road and Tuller Road, a 1.437 acre fee simple interest described in the attached Exhibit "A," from Peace Hanson LLC.

Section 2. The Ordinance shall take effect and be in force from and after the earliest date permitted by law.

Passed this _____ day of _____ 2014.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

Exhibit "A" - Legal Description
For File: 1445832

Situated in the State of Ohio, County of Franklin, City of Dublin, Quarter Township 2, Range 19, United States Military Lands, being 1.318 acres (and all that remains) out of that original 3.004 acre tract of land (2.996 acres by survey) as described in a deed to Thomas Touch, Inc. of record in Official Records Volume 7293, Page J-18 (all references herein being to the records located in the Recorder's Office, Franklin County, Ohio), said 1.318 acres being more particularly described as follows:

Beginning at a point at a northwesterly corner of said original 3.004 acre tract and at the southwesterly corner of that 0.34 acre tract of land as described in a deed to David A. Thomas, of record in Deed Book 3492, Page 869;

Thence North 77° 33' 49" East, along the southerly line of said 0.34 acre tract, a distance of 226.68 feet to an iron pin found at the southeasterly corner of same;

Thence North 13° 07' 08" West, along the easterly line of said 0.34 acre tract, a distance of 29.61 feet to an iron pin at the northeasterly corner of same and in the southerly line of that 51.77 acre tract of land as described in a deed to City National Bank and Trust Company, Trustee, of record in Deed Book 3774, Page 888;

Thence South 83° 54' 37" East, along said southerly line, a distance of 103.15 feet to an iron pin at the northwesterly corner of that 1.678 acre tract of land as described in a deed to Dale Properties Co., of record in Official Records Volume 7737, Page E-08;

Thence South 6° 05' 23" West, along the westerly line of said 1.678 acre tract, a distance of 207.48 feet to an iron pin at the southwesterly corner of same and in the northerly right-of-way line of Dale Drive, 60.00 feet in width, as shown and delineated upon the plat "DALE CENTER", of record in Plat Book 58, Pages 81 and 82;

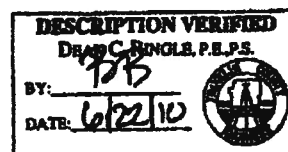
Thence along said northerly right-of-way line the following three courses:

1. With the arc of a curve to the left, having a radius of 430.00 feet, a central angle of 9° 49' 34", the chord of which bears South 81° 04' 22" West, a chord distance of 73.65 feet to an iron pin at the point of tangency;
2. South 76° 09' 35" West, a distance of 106.78 feet to an iron pin at a point of curvature;
3. With the arc of a curve to the right, having a radius of 20.00 feet, a central angle of 90° 37' 00", the chord of which bears North 58° 31' 55" West, a chord distance of 28.44 feet to a point in the easterly right-of-way line of State Route 257;

Thence South 76° 46' 35" West, a distance of 55.00 feet to a point in the centerline of said State Route 257;

Thence North 13° 13' 25" West, along said centerline and the tangent thereof, a distance of 179.05 feet to the place of beginning and containing 1.318 acres of land of which 0.228 acre lies within the right-of-way of State Route 257, leaving a net useable acreage of 1.090 acres.

Bearings herein are based on a bearing of North 13° 13' 25" West for the centerline of State Route 257.





Property Report

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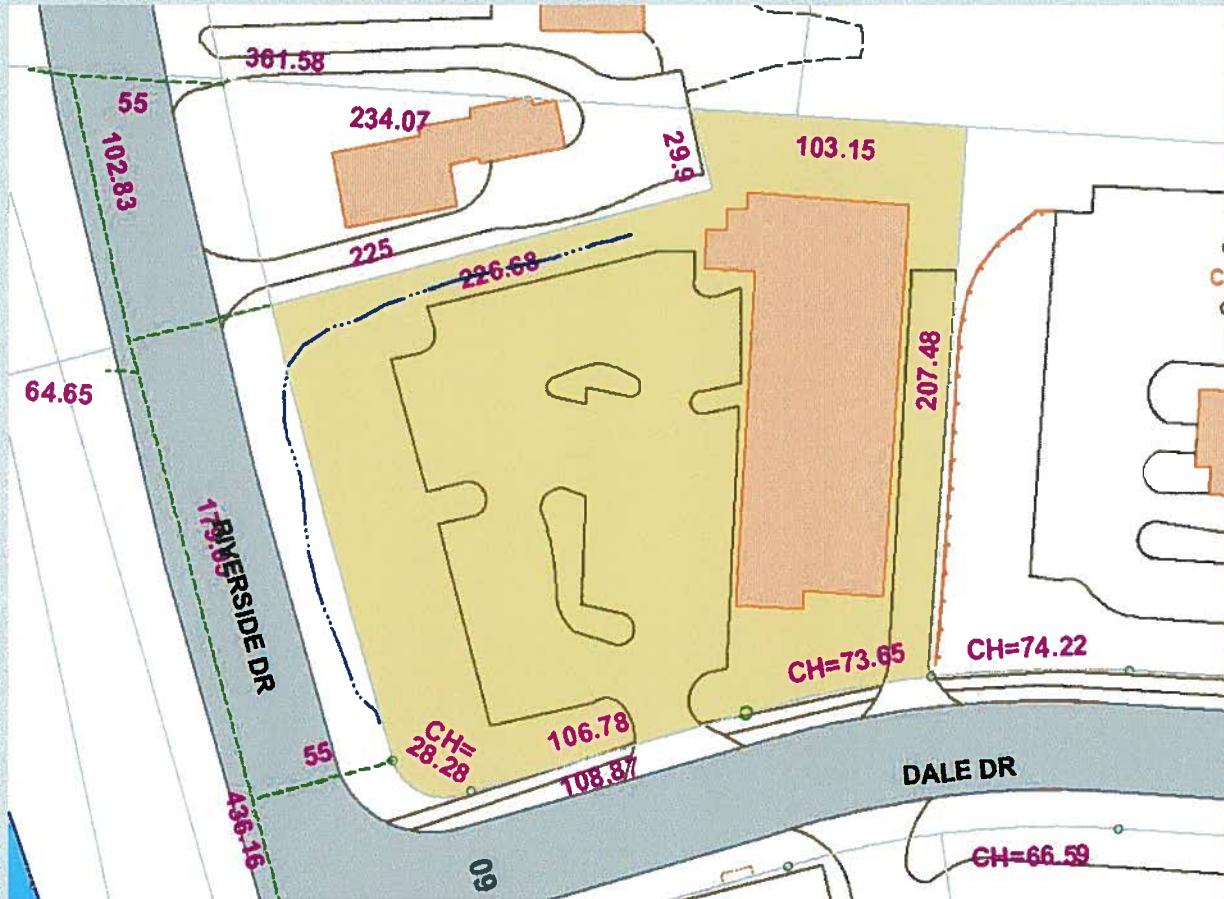
Parcel ID
273-008802-00

Map Routing No
273-0069A -002-00

Card No
1

Location
6570 RIVERSIDE DR

GIS



Disclaimer

This drawing is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this drawing are notified that the public primary information source should be consulted for verification of the information contained on this drawing. The county and the mapping companies assume no legal responsibilities for the information contained on this drawing. Please notify the Franklin County GIS Division of any discrepancies.

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.